

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:23-cv-00425

Danny Hogan,
Plaintiff,

v.

Juaquine E. Pope II et al.,
Defendants.

ORDER

Plaintiff Danny Hogan, an inmate of the Texas Department of Criminal Justice (TDCJ) proceeding pro se, filed this lawsuit complaining of alleged deprivations of his constitutional rights. Doc. 1. The case was referred to United States Magistrate Judge K. Nicole Mitchell.

Plaintiff complained of the conditions of confinement at the Coffield Unit of TDCJ. Defendant Warden Pope filed a motion to dismiss (Doc. 15), to which plaintiff did not respond. After review of the pleadings, the magistrate judge issued a report recommending that the motion to dismiss be granted and the lawsuit dismissed with prejudice for failure to state a claim upon which relief may be granted. Doc. 17. Plaintiff received a copy of this report on May 30, 2024, (Doc. 18) but has filed no objections.

When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. The lawsuit is dismissed with prejudice for failure to state a claim upon which relief may be granted.

So ordered by the court on July 18, 2024.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge